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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 NOLAN JORDAN, ) Case No.: 1:20-cv-01658-DAD-SAB (PC)  
12 Plaintiff, )  
13 v. ) FINDINGS AND RECOMMENDATIONS  
14 ARCEE, et al., ) RECOMMENDING DISMISSAL OF CERTAIN  
15 Defendants. ) DEFENDANTS AND CLAIMS  
16 ) (ECF Nos. 15, 18)  
17 )

18 Plaintiff Nolan Jordan is proceeding *pro se* and *in forma pauperis* in this civil rights action  
19 pursuant to 42 U.S.C. § 1983.

20 On February 3, 2021, the undersigned screened Plaintiff's complaint and found that Plaintiff  
21 stated a cognizable claim for deliberate indifference against Defendants Arcee and the unidentified ICC  
22 members. (ECF No. 15.) However, Plaintiff was advised that he failed to state any other cognizable  
23 claims. (*Id.*) Plaintiff was granted the opportunity to file an amended complaint or a notice of intent  
24 to proceed on the claim found to be cognizable. (*Id.*)

25 On March 10, 2021, Plaintiff notified the Court of his intent to proceed on the deliberate  
26 indifference claim against Defendants Arcee and the unidentified ICC members. (ECF No. 18.)  
27 Accordingly, the Court will recommend that this action proceed against Defendants Arcee and the  
28 unidentified ICC members. Fed. R. Civ. P. 8(a); Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009); Bell

1 Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007); Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir.  
2 2010).

3 Accordingly, it is HEREBY RECOMMENDED that:

- 4 1. This action proceed against Defendants Arcee and the unidentified ICC members for  
5 deliberate indifference in violation of the Eighth Amendment; and  
6 2. All other claims and Defendants be dismissed for failure to state a cognizable claim.

7 These Findings and Recommendations will be submitted to the United States District Judge  
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **fourteen (14) days**  
9 after being served with these Findings and Recommendations, Plaintiff may file written objections  
10 with the Court. The document should be captioned “Objections to Magistrate Judge’s Findings and  
11 Recommendations.” Plaintiff is advised that failure to file objections within the specified time may  
12 result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)  
13 (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

14  
15 IT IS SO ORDERED.

16 Dated: **March 11, 2021**

  
UNITED STATES MAGISTRATE JUDGE